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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,999	01/10/2000	LEE EVEN NAKAMURA	A7631/ST9-97	3788

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EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/06/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/479,999

Applicant(s)

NAKAMURA ET AL.

Examiner

Cong-Lac Huynh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-12 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-12 and 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: request for reconsideration filed 1/14/04 of application filed on 01/10/00 which is a continuation of the application 08/892,842 filed on 7/11/97, now US Pat No. 6,178,433 B1.
2. Claims 7-12, 27-31 are pending in the case. Claims 7, 11 and 27 are the independent claims.
3. The rejections of claims 7-12, 27-31 under 35 U.S.C. 103(a) as being unpatentable over Levine have been withdrawn in view of Applicants' arguments.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-12, 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schumacher et al. (US Pat No. 5,933,841, 8/3/99, filed 5/17/96).

Regarding independent claim 7, Schumacher discloses:

- generating a page of presentation material in response to a request for an information, wherein the page is generated based on the first information layout

and includes the first information and does not contain the second information (col 11, lines 11-27, 55-65, figures 2A, 9A, 10, 12-13: in response to a button selecting, a selected section in a web document is displayed, and the display does not contain the information of other sections of the document)

Schumacher does not explicitly disclose:

- defining the first variable equal to the first information and the second variable equal to the second information
- defining, in a second portion of the file, the first and second presentation layout, wherein said first presentation layout include said first variable and said second presentation layout includes said second variable

Instead, Schumacher discloses that each button or selector on the user interface is configured to perform pre-defined operations so that when a user places the screen pointer over the selector then selects it with the selecting device, the system interface receives data indicating which selector is selected and determines the document section associated with the selector to display the selected section (col 7, lines 1-32).

Schumacher further discloses that when selecting a selector, the selected section of the document (in figure 2A) is displayed, the other sections of the document is not displayed (figures 10, 12, 13: select the SALE button or the SALE link, the SALE section is displayed, not the other sections of the document).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Schumacher to include defining the first variable equal to the first information and the second variable equal to the second information, and

defining the first presentation layout including the first variable and the second presentation layout including the second variable for the following reason. Schumacher discloses the configuration of performing pre-defined operations such that *there is a correspondence between the selectors and the selected sections as well as the displays of the selected sections*. Schumacher invention is executed on a computer system (col 3, lines 22-61). It was well known in programming to define variables for operations or functions. Thus, it is suggested that the configuration of the selectors and the sections of a document include defining different variables for different selectors such as a first variable and a second variable for the first selector and the second selector, and *based on the correspondence between the selectors and the displays of the selected sections in Schumacher*, defining the first presentation layout including to the first variable and the second presentation layout including to the second variable.

Regarding claims 8 and 10, which are dependent on claim 7, Levine discloses that said page is World Web page for displaying on the web browser and the request, which is actually a hyperlink, includes a uniform resource locator URL (figure 2A, col 12, lines 34-53, and col 13, lines 40-43: the page is an HTML page; figure 10: the request for a selected section is the SALE hyperlink).

Regarding claim 9, which are dependent on claim 7, Levine discloses that the web browser does not support a hypertext markup language frame tag (figures 10,12-13)

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Claims 11-12 are for a system of method claims 7-10, and are rejected under the same rationale.

Claims 27-31 are for a system of method claims 7-10, and are rejected under the same rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 7-12, 27-31 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Levine does not teach or suggest using a single file format for managing internet presentation materials for ease of administration while presenting to a requestor only those portions of the file requested since the appearance of multiple embedded pages of information on the web display in Levine using data from multiple files (Remarks, page 2).

Examiner agrees.

Levine is withdrawn from the rejections.

Schumacher discloses presenting to a user only the portion requested by the user where the requested portions are included in a single file of a web document (col 12, lines 34-53, col 13, lines 41-43, figures 2a, 10, 13).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Boguraev et al. (US Pat No. 6,553,373 B2, 4/22/03, filed 11/29/01, priority 11/18/97).


Schumacher et al. (US Pat No. 6,442,574 B1, 8/27/02, filed 4/29/99, priority 5/17/96).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Clh
4/1/04



STEPHEN S. HONG
PRIMARY EXAMINER